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Attorney Docket No. 405

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Biao Lu, et al. )  
Serial No.: 09/919,779 ) Group Art Unit: Unassigned  
Filed: July 31, 2001 ) Examiner: Unassigned  
For: METHOD OF PROTECTING AS )  
GAINST SPAN FAILURES IN A )  
COMMUNICATION NETWORK )

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

**TRANSMITTAL LETTER**

Applicant encloses the following documents in response to the Notice To File Missing  
Parts Of Application dated September 6, 2001:

- ① Response To Notice To File Missing Parts Of Application (in duplicate, with  
authorization to charge our Deposit Account);
2. Petition for Extension of Time;
3. Form PTO-1533;
4. Executed Declaration and Power of Attorney;
5. Assignment to CIENA Corporation; and
6. Recordation cover sheet (in duplicate, with authorization to charge our Deposit  
Account).

**Certification Under 37 C.F.R. Section 1.10**

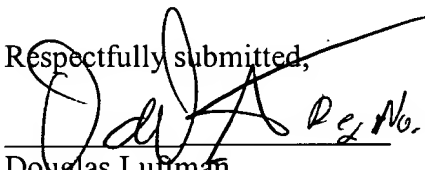
I hereby certify that this Transmittal Letter and the documents referred to as enclosed therein is being deposited with the United States  
Postal Service on this 4<sup>th</sup> day of January, 2002 in an envelope marked as "Express Mail Post Office to Addressee" Mail Label Number  
EV051635263US addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Carol S. Parker-Hines  
(Type or print name of person mailing paper)  
[Signature]  
(Signature of person mailing paper)

Please charge the application filing fee, late filing fee or oath or declaration surcharge identified on the attached Form PTO-1533 and totaling \$1,152.00 to our Deposit Account No. 50-0308.

If there are any other fees due in connection with the filing of this response, please charge such fees to our deposit account. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: January 4, 2002

Respectfully submitted,  
By:  Reg. No. 34,731  
for Douglas Luftman  
Reg. No. 43,762

CIENA Corporation  
Legal Department  
1201 Winterson Road  
Linthicum, MD 21090  
(410) 865-8500



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In re Application of: Biao Lu, et al.	)	
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Filed: July 31, 2001	)	Examiner: Unassigned
	)	
For: METHOD OF PROTECTING AS	)	
GAINST SPAN FAILURES IN A	)	
COMMUNICATION NETWORK	)	

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

**RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION**

In response to the communication of September 6, 2001, the period for response to which has been extended through January 6, 2002 by a Petition for Extension of Time and fee payment filed contemporaneously herewith, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, and a copy of the Notice of Missing Parts. Authorization is hereby granted to charge the application filing fee, late filing fee or oath or declaration surcharge totaling \$1,152.00 to our Deposit Account No. 50-0308. A copy of this Response is submitted herewith.

Please associate the enclosed declaration with the above-identified application.

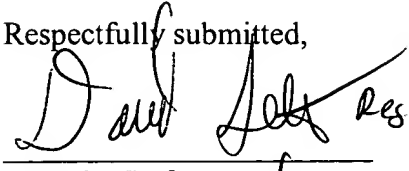
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account. If a fee is required for an extension of time under 37 C.F.R. §

1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: January 4, 2002

By:

 Reg. No. 34,731  
Douglas Luftman for  
Reg. No. 43,762

CIENA Corporation  
Legal Department  
1201 Winterson Road  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/919,779	07/31/2001	Biao Lu	13359-003001

CONFIRMATION NO. 4004

## FORMALITIES LETTER



\*OC000000006520154\*

 CIENA Corporation  
 Legal Department  
 1201 Winterson Road  
 Linthicum, MD 21090

Date Mailed: 09/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$312.
  - \$72 for 4 total claims over 20.
  - \$240 for 3 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1152.**

04/05/2002 SSAALEKU 00000012 500308 09919779

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*A copy of this notice **MUST** be returned with the reply.*


 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

 01/30/2002 SLUANG1 00000054 500308 09919779  
 PART 2 - COPY TO BE RETURNED WITH RESPONSE

 01 FC:101 740.00 CH  
 02 FC:102 252.00 CH  
 03 FC:103 72.00 CH